

REPORT - PLANNING COMMISSION MEETING
August 26, 2004

Project Name and Number: Stratford School (PLN2004-00221)

Applicants: Joseph C. Wagner and Marc Tsuchiya

Proposal: To consider a Conditional Use Permit to allow the operation of a preschool and elementary school with extended day care for up to 440 children in existing classroom buildings on the former Marshall School campus within.

Recommended Action: Approve based on findings and subject to conditions

Location: 5301 Curtis Street in the Irvington Planning Area.

Assessor Parcel Number(s): 531 021901400

Area: The Marshall School buildings, which total approximately 25,815 square feet in area, and are located on a 2.62 acre parcel

Owner: Fremont Unified School District

Agent of Applicant: Marc Tsuchiya

Consultant(s): None

Environmental Review: This project is categorically exempt from review under CEQA pursuant to Section 15301, Existing Facilities

Existing General Plan: Low Density Residential 5-7 DU/AC

Existing Zoning: R-1-6 Single Family Residential

Existing Land Use: Private School (Pre K-6)

Public Hearing Notice: A total of 154 notices were mailed to owners and occupants of property within 300 feet of the site on Curtis Street. The notices to owners and occupants were mailed on August 13, 2004. A Public Hearing Notice was delivered to The Argus on August 9, 2004, to be published by August 13, 2004.

Executive Summary: The Stratford School has submitted an application for a Conditional Use Permit to allow the operation of a private preschool, elementary school and extended day care for up to 440 children on the site of the former Marshall School campus. The proposed hours of operation will be from 7:00 am until 6:00pm Monday through Friday. The scope of this approval would include the entire Marshall School campus on the existing 2.62-acre parcel. The campus includes three classroom buildings that total 25,815 square feet, two onsite parking areas, one of which is partially or wholly converted to hardscaped play area during non-peak times, and two play areas with play structures. The parking lot areas will be striped to accommodate a drop-off / pick-up car line. Staff is recommending approval based on the findings and subject to the conditions.

Background and Previous Actions: The site is the former location for the Marshall School, owned and originally operated by Fremont Unified School District. The school was built in approximately 1963. The school district has closed some schools in the past several years and Marshall was one of those schools. The school has been leased out to other educational organizations. On December 9, 1993, the Planning Commission approved U-94-12, a conditional use permit for the operation of Challenger School, a private elementary school accommodating 370 students. While the site was in the possession of Challenger, the City received complaints related to the traffic generated from the use. Those issues

were eventually resolved through the implementation of a circulation plan. This applicant, Stratford School, will also implement a circulation plan and staggered drop-off and pick-up times. The applicant will also direct the traffic onto the site to mitigate traffic congestion during peak time hours.

Project Description: To consider a Conditional Use Permit to allow the operation of a preschool and elementary school with extended day care for up to 440 children in existing classroom buildings on the former Marshall School campus. The proposed hours of operation will be from 7:00 am until 6:00 pm Monday through Friday. The scope of this approval would include the entire Marshall School campus on the existing 2.62-acre parcel. The campus includes three classroom buildings, which total 25,815 square feet, two onsite parking areas, which together house approx 55 parking spaces, and two play areas with play structures. The parking lot areas will be striped to accommodate a drop-off / pick-up car line.

PROJECT ANALYSIS:

General Plan Conformance: The existing General Plan land use designation for the project site is Low Density Residential 5-7 DU/AC. The proposed project is consistent with the existing General Plan land use designation for the project site because preschools, elementary schools, and day cares are allowed under the residential land use designation though conditions may be imposed on them so that the impacts of these uses on the neighborhood may be limited (Residential Land Use Policy LU 1.1).

In addition, General Plan Public Facilities Goal PF 2, states that Fremont should “support the Fremont Unified School District and other educational institutions to provide quality education to the children and adults of Fremont”.

Zoning Regulations: The site is located in the R-1-6, Single Family Residential District. In that district, preschools, elementary schools and day care centers are allowed with a conditional use permit.

Regarding the preschool, the Zoning Code Section 8-22152 entitled “Nursery Schools” states:

“Day care centers...shall maintain a minimum six-foot high solid board fence or masonry wall on any property line abutting a residential district.” Though the abutting property is institutional open space and not residential, a six-foot metal fence has been placed to separate the property from the open space (Marshall Park). Since the fence delineates the property line between the park and the school, a solid board fence or masonry wall will not be required.

In addition, the zoning code requires that “a nursery school shall be located on a minimum ten thousand square foot lot and shall not develop excessive traffic on local residential streets.” The lot is over 10,000 square feet. It is 2.62 acres. This project is located at the former Marshall School site. This school site is located within a residential neighborhood and is accessed by traveling through the streets of that residential neighborhood. The Challenger private school that operated on the site in the past received complaints about traffic during peak times. The Stratford School applicants have created a circulation plan for their peak time drop-off and pick-up movements. The circulation plan illustrates that the cars would be directed onto the campus property, off of the street and out of the way of the residents. The school will also be required to implement a staggered arrival and departure time for the students to mitigate any potential traffic issues.

Parking: This project meets all of the technical parking requirements. The school will house a preschool, extended day care and elementary school. The use with higher parking requirement is the preschool/daycare. Sec. 8-22003(b)(2)f.1 of the Fremont Municipal Code states that the parking requirement for a preschool or child care center is 3 parking spaces plus 1 space for each 10 children over a capacity of 15. The parking requirement for elementary schools is one space for each employee. Given both uses, at capacity the site will be required to provide 39 parking spaces accessible to both patrons and employees. The school has two parking lots on-site that contain a total of 55 spaces. The front parking lot has 13 parking spaces. Those spaces will be freely accessed throughout the day. The rear parking lot has 42 spaces that will be available at peak times. Between the hours of 9:00 a.m. and 3:00 p.m. a gate to the entrance of the lot will be closed so that a portion of the lot may be utilized by the children as hardscape play area therefore the lot will be inaccessible. Staff recommends that the last aisle of parking be the area gated off for use as hardscape play area, thereby leaving a total of 31 parking spaces available at all times. The play area gate can then be opened during peak times to aid in maintaining proper circulation.

Because the lot is proposed to be inaccessible part of the day, staff is concerned that the lack of accessible parking may create an undue burden on the public parking lot adjacent to this site. For this reason, staff is requiring that all school staff be provided with parking on-site. If such time that the school reaches a capacity that warrants additional staff above 13 (the number of spaces in the front lot), the applicant will be required to convert some of the back lot into permanent employee parking. Staff has added Condition 13 to address that requirement.

Circulation: To address traffic control, the applicants have created a circulation plan for dropping off and picking up children. The plan has two elements. The first is for the cars of preschool and kindergarten families to be directed off of Curtis Street from the eastern most driveway and led to the interior parking lot on the north side of the school. There will be a drop off zone where teachers and administrators will assist in helping the parents find parking spaces. The elementary students will be dropped off near the front parking lot of the school. The children will be picked up from there as well. The second element of the circulation plan is a staggered arrival and departure schedule. The impact of the arrival and departure of the student body on the neighborhood would be lessened if conducted in "blocks of time" instead of all at once. The applicant will be required to follow that circulation plan.. Any changes to that plan in the future will require staff review..

Open Space/Landscaping: This project does not include any remodeling or construction. It is a school locating into existing classroom buildings. Therefore the project will not be required to meet current landscaping requirements. They will be subject to the State regarding play areas and open space areas for the children.

ENVIRONMENTAL ANALYSIS: This project is categorically exempt from review under CEQA pursuant to Section 15301 (Existing Facilities).

Response from Agencies and Organizations: The City received no responses from the public or other agencies.

APPLICABLE FEES: The 1963 school buildings existed before the establishment of impact fees. This use is similar to the past uses of the site and, therefore there is no increase in the intensity of use. To that end, no impact fees are due.

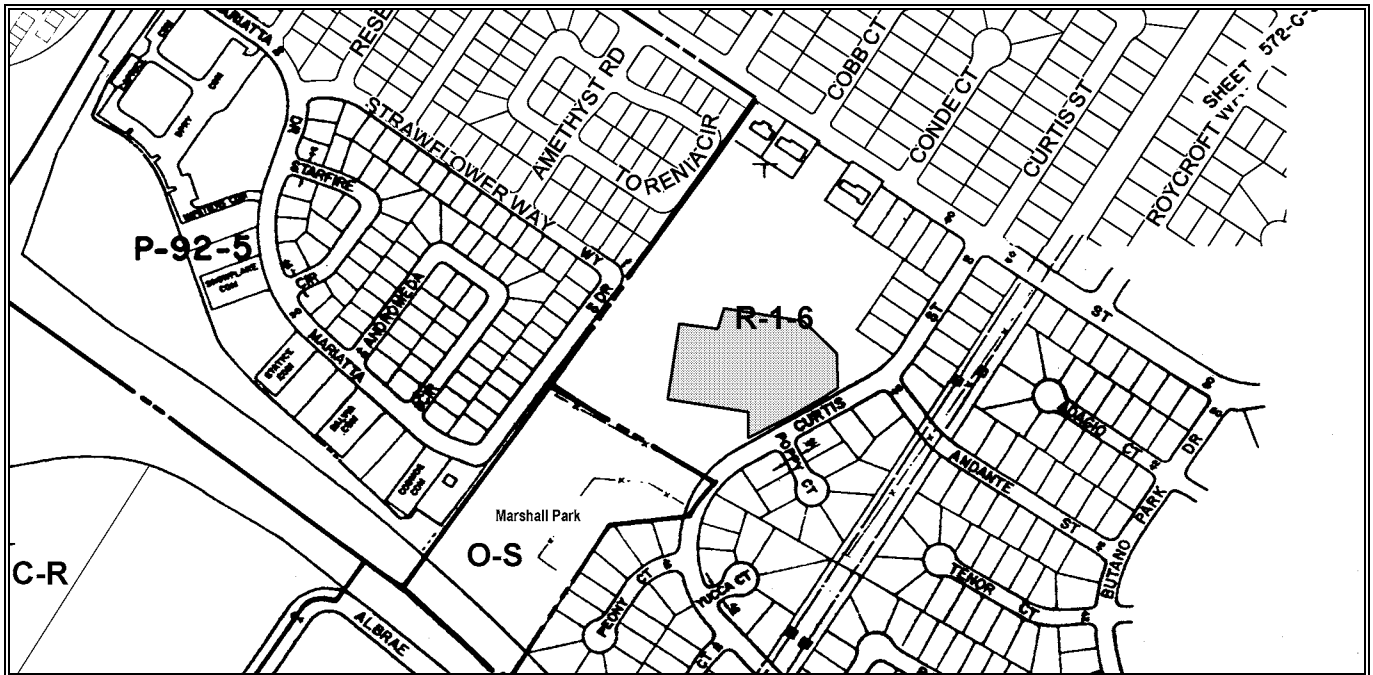
ENCLOSURES: Exhibit "A" (Site Plan, Floor Plans, Circulation Plan and Circulation Procedures)
Exhibit "B" (Findings & Conditions)
Informational (Copy of original plans)

EXHIBITS: Exhibit "A" (Site Plan, Floor Plans, Circulation Plan and Circulation Procedures)
Exhibit "B" (Findings & Conditions)

Recommended Actions:

1. Hold public hearing.
2. Find that the proposed project is exempt from further CEQA review pursuant to Section 15301, Existing Facilities.
3. Find that the proposed project is in conformance with the relevant provisions contained in the City's General Plan. The project conforms to the goals and policies as enumerated in the staff report and Findings Exhibit adopted/recommended herewith.
4. Approve PLN2004-00221, as shown on Exhibit "A", subject to findings and conditions in Exhibit "B".

Existing Zoning
Shaded Area represents the Project Site



Existing General Plan

